

EPA REGION 3 ENVIRO-BYTES

A Wrap-Up of Issues & Events in EPA's Mid-Atlantic Region
January 22, 2001

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100-300K ACRES OF WETLANDS NOW AT RISK IN BAY WATERSHED

The January 2001 Supreme Court decision in the case of the Solid Waste Agency of Northern Cook County vs. U.S. Army Corps of Engineers has severely weakened federal Clean Water Act jurisdiction over isolated waters and wetlands. To estimate the impact of the court's decision in the Chesapeake Bay Watershed, a geographic information systems analysis was performed. Results show that between 100,000 and 300,000 acres of isolated wetlands and other waters are vulnerable. These figures represent between seven and 20 percent of total National Wetland Inventory wetlands in the watershed. The most common wetland type affected by the decision are non-tidal forested wetlands. Also at risk are numerous small ponds, vernal pools, and Delmarva Bays. Many of these provide critical habitat for amphibian and reptile species, as well as numerous species of endangered and threatened plants and animals. The burden for protecting these isolated waters will now fall to the states.

FEDERAL AGENCIES WARN MOTHERS, YOUNG OF MERCURY IN FISH

On January 12, both the EPA and the FDA issued national advisories on fish consumption due to mercury contamination for women who are pregnant or may become pregnant, nursing mothers and young children. The EPA advisory recommends that these groups restrict consumption of all freshwater fish to one six-ounce serving per week for adults and one two-ounce serving per week for young children. The FDA has issued advice on mercury in fish bought from stores and restaurants and advises that these groups do not eat shark, swordfish, king mackerel, or tilefish. In addition, the FDA advises that women restrict consumption of other fish from stores or restaurants to no more than 12 ounces of cooked fish per week. The basis for these advisories is the recent report from the National Academy of Sciences which confirmed that methylmercury is a potent toxin and concluded that the babies of women who consume large amounts of fish when pregnant are at greater risk for changes in their nervous system that can affect their babies ability to learn. Freshwater fish from contaminated waters have been shown to have particularly high levels of methylmercury, posing potential risks to recreational anglers and people who consume fish regularly.

GREAT LAKES CHEM CO STUDIES HAZARDOUS SPILLS ON SITE

On January 9, the Great Lakes Chemical Company agreed under an EPA Administrative Consent Order to conduct an environmental investigation of releases of contaminants at the Nitro, WV facility. Great Lakes will complete the environmental investigation of the numerous historical spills of arsenic, cadmium, lead and phosphorus trichloride at the facility. EPA has provided 60 days for the company to respond to the consent order after which EPA may pursue other enforcement options.

ARSENIC STANDARD LOWERED IN DRINKING WATER

On January 16, Administrator Browner signed the final rule for arsenic in drinking water, establishing a new enforceable standard at 10 parts per billion (ppb), down from the current 50 ppb level. Approximately 54,000 community water systems, serving 254 million people will be subject to this new maximum contaminant level standard. The standard will also apply, for the first time, to 20,000 non-transient, non-community water systems that serve people only part of the year, such as schools, churches, and factories, where exposure to arsenic in drinking water could also be significant. Both systems are required to comply with this new standard within five years. Community water systems will be required to start inserting

health effects information into their next consumer confidence report, due July 2002.

MARYLAND SUBMITS 36 CONTROLS ON STREAM CONTAMINANTS

The Maryland Department of the Environment submitted a total of 36 individual limits to control contaminant loadings to impaired streams in Maryland. Most of the limits, known as Total Maximum Daily Loads (TMDLs), are for control of nutrients from both point and non-point sources. Under an EPA/MDE agreement 28 TMDLS were to be completed by the end of 2000. EPA has approved 16 TMDLS, with approval of the remaining TMDLS expected within 30 days. Implementation of the TMDLS will result in significant improvement in water quality of Maryland streams.

PROPOSED REGS TO CUT REGIONAL HAZE

On January 12, the Administrator signed a proposed rule identifying major air pollution sources constructed between 1962 and 1977 which contribute to regional haze, and specifies a process for evaluating the best controls for each eligible source. The proposed rule provides guidelines for identifying the best available retrofit technology (BART) for each source. The proposed rule has been sent to the Federal Register to solicit public comment.

NUTRIENT POLLUTION DECLINES IN CHESAPEAKE BAY

Phosphorus loads from all states whose tributaries flow into the Chesapeake Bay declined 6.8 million pounds per year between 1985 and 2000. Nitrogen loads declined 48 million pounds per year between 1985 and 2000. Maintaining reduced nutrient levels after 2000 will be a challenge due to expected growth in human and animal populations in the region. Additionally, new reduction goals, needed to remove the Bay and its tidal rivers from the list of impaired waters, will likely be more challenging to achieve than the reductions that still need to be made to meet current goals. The updated indicators can be viewed at the Chesapeake Bay Program website: www.chesapeakebay.net

EPA HQ AND REGION COMMIT TO RECYCLED PAPER

Effective immediately, EPA is raising the environmental standards for all its publications and for the procurement of copy paper used by the agency. EPA Headquarters and Region 3

printing will be done on 100 percent recycled paper with a minimum of 50 percent post consumer fiber content. Printing jobs will be done using process chlorine free paper wherever this paper is available. All EPA internal and external publications will prominently display the recycled logo with the statement "Printed on 100% recycled/recyclable paper with a minimum 50% post-consumer fiber using vegetable-based ink." In addition, all Headquarters and Region 3 copy paper will meet this same improved standard.

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